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2 **UNITED STATES DISTRICT COURT**  
3 **DISTRICT OF NEVADA**

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7 KEVIN ALMY,

8 Plaintiff,

9 vs.

10 D. DAVIS, *et al.*,

11 Defendant.  
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2:12-cv-00129-JCM-VCF

**ORDER**

[Motion #'s 209, 210, 213]

13 Before the court are Plaintiff's Request for Leave to File Motion for Extension of Time to  
14 Respond to Doc #203, or in Alternative, Accept this as Motion for Extension (First Request) (#209),  
15 Discovery Requests Pursuant to Court Order Doc #203 (#210), and Motion for Stay of District Court  
16 Proceedings (#213).

17 On November 1, 2013, Defendant Almy filed a Notice of Appeal unto Order #194. Thereafter  
18 he filed Request for Leave to File Motion for Extension of Time to Respond to Doc #203, or in  
19 Alternative, Accept this as Motion for Extension (First Request) (#209), Discovery Requests Pursuant to  
20 Court Order Doc #203 (#210), and Motion for Stay of District Court Proceedings (#213). In  
21 Defendant's Motion for Stay of District Court Proceedings (#213), he asks the Ninth Circuit to stay the  
22 case. As Motion #213 requests relief from the Ninth Circuit and not this court, #213 is denied without  
23 prejudice. Plaintiff's Request for Leave to File Motion for Extension of Time to Respond to Doc #203,  
24 or in Alternative, Accept this as Motion for Extension (First Request) (#209) and Discovery Requests  
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1 Pursuant to Court Order Doc #203 (#210) are denied without prejudice. After the Ninth Circuit rules on  
2 the pending appeal, Plaintiff may seek leave to file these motions in accordance to Order #159.

3 Accordingly,

4 IT IS HEREBY ORDERED that Plaintiff's Request for Leave to File Motion for Extension of  
5 Time to Respond to Doc #203, or in Alternative, Accept this as Motion for Extension (First Request)  
6 (#209), Discovery Requests Pursuant to Court Order Doc #203 (#210), and Motion for Stay of District  
7 Court Proceedings (#213) are DENIED without prejudice.

8 DATED this 5th day of December, 2013.



9 CAM FERENBACH  
10 UNITED STATES MAGISTRATE JUDGE  
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